

## **Exhibit 1**

October 15, 2002, Terminal Disclaimer and Accompanying  
Receipt Postcard

**PATENT**  
**Counter No. 22,852**  
**Attorney Docket No. 5725.0656-01**  
**Application No.: 09/685,577**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Véronique FERRARI et al.	)	Group Art Unit: 1615
	)	
Application No.: 09/685,577	)	Examiner: SHEIKH, H. N.
	)	
Filed: October 11, 2000	)	
	)	
For: COMPOSITIONS IN RIGID FORM	)	
STRUCTURED WITH A	)	
POLYMER	)	

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**TERMINAL DISCLAIMER**

Assignee, L'Oréal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, U.S. Application No. 09/685,577, filed October 11, 2000, in the names of Véronique FERRARI and Pascal SIMON, for COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 011455, Frame 0203, on January 22, 2001. Assignee, L'Oréal S.A further represents that it is the assignee of the entire right, title and interest in and to Application No. 09/618,066, filed July 17, 2000, in the names of Véronique FERRARI and Pascal SIMON, for COMPOSITIONS IN RIGID FORM

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STRUCTURED WITH A POLYMER, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 011057, Frame 0676, on September 11, 2000.

Evidentiary documents have been reviewed and, to the best of Assignee's knowledge and belief, title to both the instant application and Application No. 09/618,066 are in the assignee submitting this Terminal Disclaimer.

To obviate a double patenting rejection, Assignee hereby disclaims, under the provisions of 37 C.F.R. § 1.321, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on Application No. 09/618,066, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on Application No. 09/618,066 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on Application No. 09/618,066, as presently shortened by any terminal disclaimer, in the event that any patent granted on Application No. 09/618,066 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally

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disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Dated: October 15, 2002

By: Charles E. Van Horn  
Charles E. Van Horn  
Reg. No. 40,266

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TZI/mcb/mo/jko

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

In Re Application of: Véronique FERRARI et al.

Application No.: 09/685, 577

Group Art Unit: 1615

Filed: October 11, 2000

Examiner: H. Sheikh

For: COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER

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1. Reply under 37 C.F.R. 1.111 (3 pages);
  2. Terminal Disclaimer (3 pages); and
  3. Our check for \$110.00 (TD fee)



Dated October 15, 2002

Docket No.: 05725.0656-01000

(Due Date: 10/15/02)

MEO/JKM

Please return postcard to C. Woods (Mail Drop 318)

cl/Kd/KCD/10-16-02

was 10/16/02